

REMARKS

The Examiner is thanked for his careful review of the specification and claims. Claims 1-24 remain pending in this application after this Amendment A.

§102(b) Rejections over Ulrich

Claims 1-24 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,466,200 to Ulrich et al. ("Ulrich"). Ulrich describes an interactive exercise apparatus engages a user's mind and body. The apparatus comprises an exercise mechanism and a steering mechanism for manipulation by the user to achieve exercise and to indicate a direction of motion. A simulated environment is generated by a computer and displayed on a display system for the user. The user manipulates the exercise mechanism and the steering mechanism to freely navigate through the simulated environment. The computer monitors the exercise mechanism and the steering mechanism to determine user position in the simulated environment. The display is periodically updated by the computer to provide a continuous visual display of the user's position as the user travels through the simulated environment. A plurality of the interactive exercise apparatus can be networked together to allow group participation in the simulated environment.

Ulrich Distinguished

The claims have been amended to further clarify certain embodiments and to expedite prosecution. Applicant respectfully traverses the rejection of the originally submitted claims, and reserves the right to reintroduce those and other claims to these and other embodiments in continuing applications.

Ulrich permits a user to exercise in a simulated environment including the capability of varying resistance. Multiple users may speak with each other as they exercise. However, the voice communication between the users is unrelated to any control signals which may vary the resistance of the exercise equipment. That is, the voice communication between the users is simply live (not recorded) conversation. This is abundantly clear from the disclosure of Ulrich, e.g.:

In addition to sharing position, direction, etc. parameters, the networked computers can share voice information. While a microphone is not shown in FIG. 7, it should be understood that a microphone can be electrically coupled to the computer and located in/on the computer, in/on the display(s), or elsewhere in/on the exercise machine (e.g., in/on the seat near the user's head). (A microphone and a speaker are shown in FIG. 10 and described below with reference to that drawing.) If the link 94 is established with telephone lines, the phone signal can be multiplexed to allow for both voice and data communication between the users. This dual use of the phone signal is possible due to the relatively low-bandwidth of communication required for the shared parameters (e.g., position, direction). By allowing voice communication, the users can talk in real-time while, for example, racing pedal-powered chariots though ancient Rome. Ulrich, col. 8, lines 42-58

In Applicant's independent claim 1, a storage medium stores control circuitry signals and audio signals including vocal content. As seen in Applicant's Fig. 2, the storage media of, for example, the local computer 24, includes magnetic media (e.g. mass store 88), optical media (e.g. CD 89), and semiconductor media (e.g. ROM 86). The vocal content, as claimed in Applicant's claim 1, is therefore digitally stored, not live as with Ulrich.

In independent claims 6 and 15, it is specified that the audio signal including vocal content and the control circuitry signal are related. That is, the content of the voice is related to the state of the exertion or resistance varying mechanisms. This is clearly not the case with the "chariot racer" of Ulrich.

In marked contrast to Ulrich, Applicant links the voice to the operation of the device. For example:

For example, the system 12 could be taking a user on a imaginary bicycle ride through the country. The script preview would then, in a step 142, indicate something like "We are now approaching a hill. You will note an increased resistance to pedaling in a few seconds which will steadily increase until we reach the crest of the hill in about one and a half minutes." These steps 134, 138, and 142 are further examples of the local system 12 serving as a "virtual personal trainer." Applicant's Specification, page 19, lines 7-14.

Ulrich clearly does not teach or suggest the combinations as set forth in either of the embodiments of claims 6 and 15.

Since independent claims 1, 6 and 15 are patentable over Ulrich, the dependent claims are patentable for at least the same reasons. Applicant respectfully requests that the rejection of claims 1-24 under 35 U.S.C. §102(b) be withdrawn.

Conclusion

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

If in the opinion of the Examiner a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at the number set forth below.

The Commissioner is authorized to charge any fees due to Applicants' Deposit Account No. 503539.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Paul L. Hickman', with a long horizontal flourish extending to the right.

Paul L. Hickman

Registration No. 28,516

Tel.: 650-333-0180

Date: 12/30/05